

# Banditti on the Santa Fe Trail

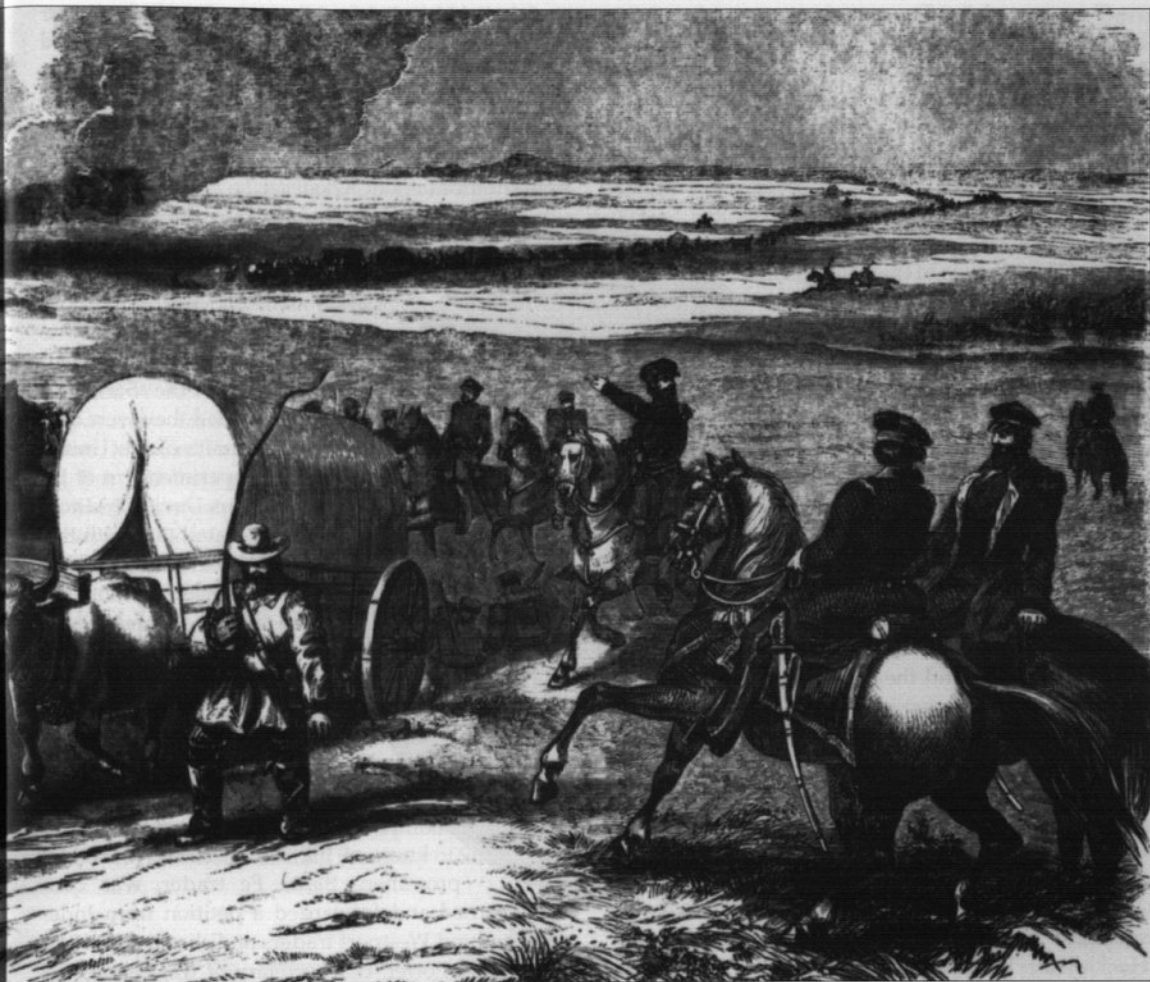
## The Texan Raids of 1843

*by Harry C. Myers*

**I**n 1836 Texas won its independence from Mexico. For the next several years Mexico refused to acknowledge that independence and with a variety of harassing moves provoked Texan retaliation. Unfortunately, that retaliation took place against Mexico's most northern and remote province, New Mexico. Texas as a young nation had difficulty finding money to finance its government, and traders on the Santa Fe Trail, which stimulated the economy in New Mexico, appeared very attractive. If that trade could be captured and diverted to Texas, perhaps the money problems would be solved. At this time Texas claimed not only the territory of its present state but land as far west as the Rio Grande. Since Santa Fe was east of that claimed boundary, the trade might be manipulated more easily if administration of Santa Fe were Texan instead of Mexican.

In 1841 Texas sent an expedition to New Mexico with the avowed purpose of trading and to exercise the Texan claim to its lands east of the Rio Grande should the inhabitants desire. But New Mexicans had no desire to be governed by Texans, and the expedition failed. Most of its members were captured and sent to jail in Mexico.<sup>1</sup>





U.S. Army escorting a caravan to Santa Fe.

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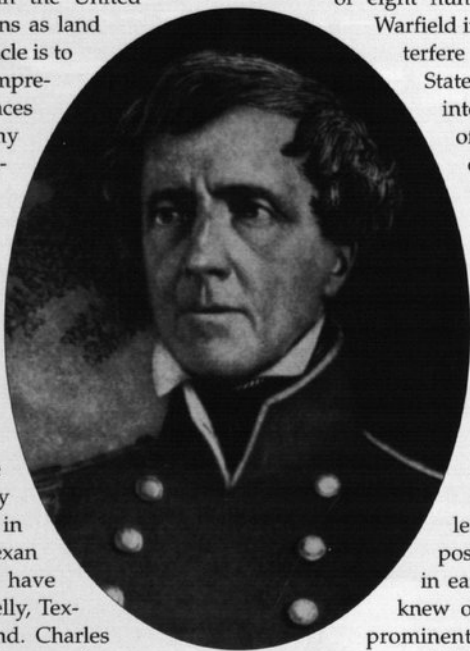
1. A standard work on the 1841 expedition is Noel M. Loomis, *The Texan-Santa Fe Pioneers* (Norman: University of Oklahoma Press, 1958); see also William C. Binkely, "New Mexico and the Texan Santa Fé Expedition," *Southwestern Historical Quarterly* 27 (October 1923): 87-107; Thomas M. Marshall, "Commercial Aspects of the Texan Santa Fé Expedition," *Southwestern Historical Quarterly* 20 (January 1917): 242-59.

Two years later Texas again sponsored actions against New Mexico and additionally against New Mexicans on the Santa Fe Trail. Once again efforts failed and the Texan actions were condemned in most newspapers. Since that time Texan historians and writers have been diligent about justifying the Texan actions of 1843. Absent, however, is a complete account of what happened in the United States that portrayed the Texans as land pirates. The purpose of this article is to provide, for the first time, a comprehensive view of the circumstances in which the United States Army reacted to the Texan expeditions of 1843.

Colonel Stephen Watts Kearny

After the debacle of the Texan invasion of New Mexico in 1841, humiliation and the desire for revenge burned in the hearts of the Texans. Soundly rejected by the New Mexicans in the attempt to establish a Texan government and thought to have been treated unjustly and cruelly, Texans were compelled to respond. Charles A. Warfield, fur trapper and son of a respectable New Orleans merchant, proposed to Mr. Hockley, the Texan secretary of war and marine, that he raise a force of men to capture Mexican territory in the name of Texas. No doubt Warfield bragged of his intention to invade New Mexico and California with the eight hundred to one thousand men that he would raise. On August 16, 1842, Hockley authorized him to raise a force of men and commission such officers as necessary.<sup>2</sup>

2. Nicholas P. Hardeman, "Charles A. Warfield," in *The Mountain Men and the Fur Trade of the Far West*, ed. LeRoy R. Hafen, vol. 7 (Glendale,



Warfield headed for Missouri where he began recruiting activities. For his planned invasion he would rendezvous with all his recruits near Point of Rocks in Mexican territory on or about May 15, 1843. There Warfield and his Missouri troops expected to meet three hundred men from Texas and an equal number from the frontiers of Arkansas; he anticipated a total of eight hundred to one thousand men.

Warfield insisted he would not rob or interfere with citizens of the United States but claimed the right, under international law, to rob citizens of Mexico who might be encountered on the Santa Fe Trail, provided they were outside the limits of the United States. Superintendent of Indian Affairs David D. Mitchell later stated that with this view Warfield was able to enlist a great number of well-disposed men who would have spurned all propositions of what they conceived to be unlawful.<sup>3</sup>

By the time Charles Warfield left Missouri for the fur trade posts of the upper Arkansas River in early 1843, the Missouri frontier knew of his activities. David Waldo, prominent Santa Fe trader, was concerned and forwarded a petition from Independence and Westport traders on February 24, 1843, to James M. Porter, U.S. secretary of war, requesting an army escort for traders that year.<sup>4</sup> A similar peti-

Calif.: Arthur H. Clark Co., 1969), 353-69. St. Louis Superintendent of Indian Affairs D. D. Mitchell to U.S. Secretary of War James M. Porter, April 21, 1843, microfilm M234, roll 753, National Archives, Washington, D.C.

3. D. D. Mitchell to James M. Porter, April 21, 1843. A biographical sketch of David D. Mitchell is contained in Hafen, *The Mountain Men*, vol. 2, 241-46, and Hafen, ed., *Fur Traders, Trappers, and Mountain Men of the Upper Missouri* (Lincoln: University of Nebraska Press, 1995), 41-46.

4. James M. Porter to David Waldo, March 16, 1843, microfilm M1302, roll 4, National Archives. A good biography of David Waldo is James W. Goodrich, "In the Earnest Pursuit of Wealth: David Waldo in Missouri and



tion dated March 13 was sent to David D. Mitchell, superintendent of Indian Affairs in St. Louis from Waldo and forty-nine others stating that a party was organizing along the state line to rob the "Caravan from Santa Fe to this place." Waldo believed the force totaled almost one hundred men "of the most desperate character." Waldo asked Mitchell to ensure that no passports be issued to these men for Indian country and that instructions be given to Major Richard W. Cummins of the Fort Leavenworth Indian Agency to frustrate their plans.<sup>5</sup> Mitchell, perhaps shocked at the news, sent copies to the commissioner of Indian Affairs in Washington, D.C., to Colonel Stephen W. Kearny, commanding the Third Military Department from Jefferson Barracks south of St. Louis, Missouri, and to Major Cummins.<sup>6</sup>

But Mitchell's action was a mere formality. Colonel Kearny already was informed of the problem, if not by Waldo's petition of February 24 then by the *Lexington Express* and *St. Louis Republican*, newspapers that had printed news of the robbers' intentions. The papers reported that a party of men, "banditti," was forming to rob the Santa Fe and Chihuahua traders, and they expressed hope that the petition to the secretary of war would induce an escort of Fort Leavenworth soldiers.<sup>7</sup>

Others were concerned about robbers on the trail. On March 17 Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic to the United States J. N. Almonte wrote Secretary of State Daniel

Webster that he had received a petition from three Mexican citizens in Independence, Missouri, who wished an escort to Santa Fe. The three, Ambrosio Armijo, José Ignacio Salazar, and Gaspar Ortiz, had purchased more than fifty thousand dollars worth of goods in the United States and feared for their safety when returning to New Mexico. They especially feared attack by barbarous tribes "or other miscreants, who are usually found on the borders of Missouri and New Mexico." An escort to the Napeste (Arkansas) River was desired.<sup>8</sup>

Secretary of War Porter replied to Waldo on March 16 that he should apply to the commander of the local military post for protection. But under no circumstances could U.S. soldiers enter Mexico. However, escorts previously had been provided to the Arkansas River, and Waldo would be informed if troops were again going toward Santa Fe.<sup>9</sup> Instructions from adjutant general of the U.S. Army, Colonel Roger Jones, to General Zachary Taylor, in command of the Second Military Department at Fort Smith, and to Colonel Kearny strongly suggested an escort be conducted.<sup>10</sup>

Colonel Kearny warned the commanders of Forts Leavenworth and Scott to be watchful for suspicious persons, prevent them from entering Indian country, and cooperate with local Indian agents.<sup>11</sup> Colonel Jones's suggestion that an escort be provided became an order. On March 28 Secretary Porter wrote General-in-Chief of the Army Winfield Scott that "the Government of the United States is desirous of extending the trade and commerce of our citizens with those of our sister Republic and to afford this escort, if the same can be done without serious detriment to the service." Porter in-

the Southwest, 1820-1878," *Missouri Historical Review* 66 (January 1972): 155-84. James M. Porter was secretary of war from 1843 to 1844.

5. [Merchants of Independence, Missouri] to D. D. Mitchell, March 13, 1843, microfilm M234, roll 753.

6. *Ibid*; Stephen Watts Kearny joined the army as a first lieutenant in 1812. After serving in the infantry, he was appointed lieutenant colonel of the newly formed First Dragoons in 1833. He was promoted to colonel of the regiment in July 1836, serving as the commanding officer until June 1846, when he was promoted to brigadier general and given command of the Army of the West. He died in 1848. See Francis B. Heitman, *Historical Register and Dictionary of the United States Army*, vol. 1 (Washington, D.C.: Government Printing Office, 1903), 568.

7. Third Military Department Assistant Adjutant General James H. Prentiss to Editor of "Lexington Express" Missouri, March 13, 1843, Letters Sent, Third Military Department, RG 393, National Archives; Mexican Minister J. N. Almonte to Secretary of State Daniel Webster, March 27, 1843, microfilm M54, roll 2, *ibid*.

8. J. N. Almonte to Daniel Webster, March 17, 27, 1843. Daniel Webster was secretary of state from 1841 to 1843.

9. James M. Porter to David Waldo, March 16, 1843.

10. Adjutant General of the Army to Colonel S. W. Kearny, March 29, 1843, microfilm M565, roll 13, National Archives; Adjutant General of the Army to General Z. Taylor, March 29, 1843, microfilm M1302, roll 4. Zachary Taylor was elected and served as president of the United States from 1849 to 1850. He died in office on July 9, 1850.

11. James H. Prentiss to Lieutenant Colonel R.B. Mason, Letters Sent, Third Military Department.

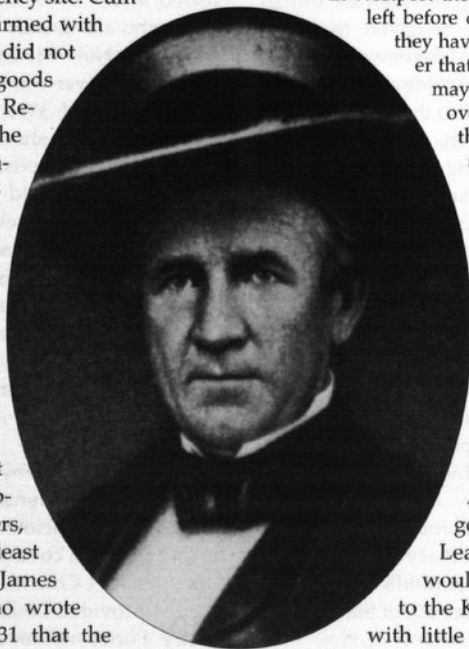
cluded that the "Mexican Citizens, in their lawful trade, as such of our own citizens engaged in similar pursuits" should receive protection.<sup>12</sup>

But news on the Missouri frontier already had taken an ominous tone. On March 30 agent Cummins wrote Fort Leavenworth Commander Richard B. Mason that for the past several days men had been collecting at Westport near his agency site. Cummins reported that they were armed with "a rifle gun, pistols &c." and did not appear to have any packs of goods or anything except provisions. Reportedly they were going to the buffalo grounds to catch buffalo calves and other wild ani-

Sam Houston

mals, but Cummins doubted these intentions: "It is the opinion of all the good citizens that I have conversed with in and about Westport and Independence that their object is to rob the Santa Fe Traders, of this fact I have not the least doubt." Just as concerned was James G. Hamilton in Westport who wrote Albert G. Boone on March 31 that the "Mountains Expedition has been daily increasing," and these questionable men would "lurk about until there [sic] company all gets together and then make a push for the Spanish Country. Maj. McDaniel from Liberty appears to be there [sic] head man."<sup>13</sup>

On April 1 Cummins wrote Colonel Mason at Fort Leavenworth:



I have learned from several respectable persons that on the 29th ulto . . . a party arrived at Westport understood to be from Clay and other counties, north of the Missouri River supposed to be about fifteen. Among this party I am informed is a man by the name of John McDaniel who has a Commission from the Texian Government, they were getting their animals shod and packsaddles made in Westport the greater part of the night and left before day. . . . I am not certain that they have left there yet, I think however that they left this morning, if so it may take your troops some time to overtake them. It is supposed that they were about forty strong at this place, and more recruits expected. . . . They are alarmed, expect to be followed by the Dragoons, it is uncertain what route they will take, please loose [sic] no time.<sup>14</sup>

Unfortunately, Cummins's letter did not reach Colonel Mason until two days later on April 3. Immediately, Lieutenants William Bowman and Andrew J. Smith and sixty dragoons were dispatched from Fort Leavenworth in pursuit of the would-be robbers. They proceeded to the Kansas River, and a hard march with little rest brought them to 110 Mile Creek, just east of present-day Burlingame, on April 5, where they found evidence of small parties having camped for several days.<sup>15</sup> The dragoons rested and fed their horses, paused for about four hours, and continued throughout the night until seven o'clock on the morning of April 7. The soldiers had

12. James M. Porter to Major General Winfield Scott, March 28, 1843, microfilm M1302, roll 4.

13. Indian Agent Richard W. Cummins to Fort Leavenworth Commander Richard B. Mason, March 30, 1843, and J. G. Hamilton to A. G. Boone, March 31, 1843, Letters Received, Adjutant General's Office, RG 94, National Archives. Richard Barnes Mason was commissioned a sec-

ond lieutenant of the Eighth Infantry in September 1817. He became a major in the First Dragoons in 1833, lieutenant colonel in 1836, and in 1848 was promoted to brigadier general for meritorious conduct. He died in July 25, 1850. See Heitman, *Historical Register*, 695.

14. Richard W. Cummins to Richard B. Mason, April 1, 1843.

15. Henry S. Turner to Abraham R. Johnston, April 20, 1843, Abraham R. Johnston Collection, U.S. Military Academy Library, West Point, N.Y.; Lieutenant William Bowman to R.B. Mason, April 9, 1843, Letters

trailed the party to a grove of timber and then thirty miles farther along the trail. Bowman figured that the party was at least thirty hours or about fifty miles in advance of the dragoons. Without food for the horses, further pursuit was futile. After resting at this spot 130 miles from Fort Leavenworth, Bowman turned his command east toward the fort, where he arrived four days later.<sup>16</sup>

The supposed commander of the banditti, or land pirates as they also were called, indeed was John McDaniel, a resident of Clay County, Missouri. He and his younger brother David had succumbed to the charms of Warfield's recruiting talk and promised to join the Texans in the West. McDaniel probably recruited others or took charge of Warfield's Missouri recruits and started planning their campaign. After outdistancing Lieutenant Bowman and his dragoons, McDaniel and his party of about thirteen men surprised Santa Fe trader Antonio José Chávez just east of present-day Lyons, Kansas. Chávez was traveling with his servants to Independence, Missouri, carrying gold and silver to purchase goods in the United States. McDaniel and his party captured Chávez, robbed and murdered him, and threw his body into a small creek bed. The murderers split up and headed back to Missouri with their loot.<sup>17</sup> On April 19 trader Reuben Gentry rode into Independence from Santa Fe and warned that Chávez and his five servants were missing. A search party sent out from Independence found the wagon and baggage of Chávez torn to pieces. By the time McDaniel and the others reached the Missouri border, the worst was known.<sup>18</sup>

By fortunate circumstance McDaniel was recognized on a steamboat near Independence, and he and several of his gang were captured.<sup>19</sup> Tried and convicted, most received jail terms and fines. John McDaniel and another were hanged on August 16, 1844, for their part in the murder. Two of the men involved were never captured. Newspapers of the time soundly condemned the murder and branded the perpetrators "banditti."<sup>20</sup> Public opinion, set hard against freebooters, now weighed heavily against a second Texan expedition on the Santa Fe Trail.

In February 1843, as Warfield was completing his recruiting in Missouri, Jacob Snively, Texas adjutant and inspector general, petitioned Sam Houston, president of the Republic of Texas, for permission to raid Mexican trains passing through claimed Texas territory. Snively's request was granted on February 16, and he was given permission to intercept and capture the property of Mexican traders. His purpose was to retaliate and make reclamation for injuries sustained by Texas citizens; the merchandise and other property of all Mexican citizens was to be lawful prize.<sup>21</sup> However, Snively was warned not to infringe upon the territory of the United States.

Wasting no time, Snively set off recruiting in "the most thickly settled portions of the republic." About 175 men assembled by mid-April, all with horses, weapons, and provisions. Spending a week or so organizing, dividing into three companies, and performing at least one day of mounted drill, the Texans, calling themselves "The Battalion of Invincibles" marched on April 25.<sup>22</sup> With instructions in mind to

Received, Adjutant General's Office. William Bowman was appointed a second lieutenant in the First Dragoons in August 1837, promoted to first lieutenant in June 1842, and died October 8, 1844. See Heitman, *Historical Register*, 235. Andrew J. Smith was graduated from the U.S. Military Academy and appointed a second lieutenant in the First Dragoons. After a distinguished career, he retired as a colonel in January 1889. See *ibid.*, 894.

16. *Ibid.*

17. An excellent account of the Chávez murder is Marc Simmons, *Murder on the Santa Fe Trail: An International Incident, 1843* (El Paso: Texas Western Press, 1987). Larry D. Ball, "Federal Justice on the Santa Fe Trail: The Murder of Antonio José Chávez," *Missouri Historical Review* 81 (October 1986): 1-17 gives a thorough account of the court proceedings against the murderers.

18. Maurice G. Fulton and Paul Horgan, *New Mexico's Own Chronicle* (Dallas: Banks Upshaw and Co., 1937), 130-35.

19. Simmons, *Murder on the Santa Fe Trail*, 35-64; Ball, "Federal Justice on the Santa Fe Trail," 3-17.

20. The *Army & Navy Chronicle* of June 1, 1843, and the *Arkansas Intelligencer* of May 27, 1843, referred to the Texans as "banditti."

21. H. Bailey Carroll, "Steward A. Miller and the Snively Expedition of 1843," *Southwestern Historical Quarterly* 54 (January 1951): 261-63; Stephen B. Oates, *Visions of Glory, Texans on the Southwestern Frontier* (Norman: University of Oklahoma Press, 1970), 4-6; Stephen B. Oates, ed., "Hugh F. Young's Account of the Snively Expedition as Told to John S. Ford," *Southwestern Historical Quarterly* 70 (July 1966): 73-74; Captain Philip St. George Cooke to Third Military Department Assistant Adjutant General James H. Prentiss, July 4, 1843, microfilm M1302, roll 5.

22. Carroll, "Steward A. Miller," 267; Oates, *Visions of Glory*, 6-7; Oates, "Hugh F. Young's Account," 77.



avoid United States territory, the battalion marched to a point they thought was west of 100° longitude. East of that line and south of the Arkansas River was the forbidden U.S. territory. The boundary had been set by the Adams-Onís Treaty of 1819 between the U.S. and Spain; it is the eastern boundary of the Texas panhandle today. Texas, upon its independence in 1836, retained the claim of Spain in the treaty and thereby accepted the treaty boundaries.<sup>23</sup>

When the Snively battalion thought they were west of 100° longitude they turned north and headed for the Arkansas River. A month into the expedition, time was taking its toll. Steward Miller

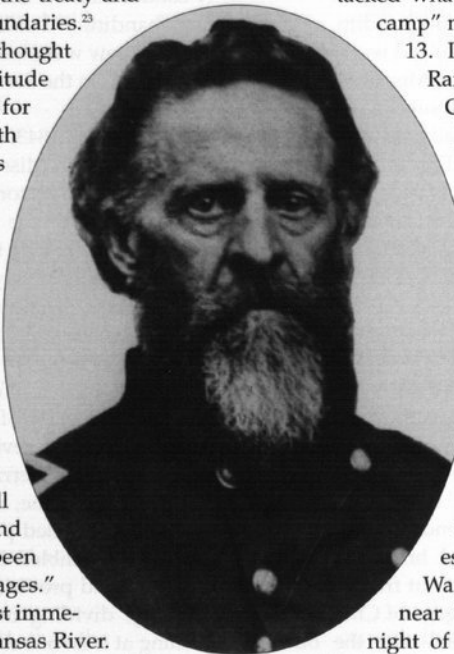
Captain Philip St. George Cooke

recorded in his diary on May 27 that some of the men were "sick and borne on litters. Others a foot for the want of horses, which have been lost, died or jaded with fatigue. All suffering for want of water and one of our number having been killed, or captured by the savages." Yet they marched on and almost immediately found relief at the Arkansas River. Miller recorded, "We were boyed up with hope."<sup>24</sup>

Now they only had to wait for the Mexican trains and commit their plunder. But the trains did not come. Scouts sighted wagons along the Santa Fe Trail, but they were a caravan from Bent's Fort. From this caravan the Texans learned that the awaited wagons would not come for eighteen to twenty days. The banditti camped and suffered the boredom of inactivity interrupted mainly by occasionally moving

their camp and keeping watch on the trail. In early June Charles Warfield and two members of his invasion force arrived at the Texan camp. Warfield had been to Mexico, but his mission had failed.<sup>25</sup>

Only twenty-four men had joined Warfield at the rendezvous in Mexican territory. Realizing that his original plans were now impossible, Warfield had attacked what Rufus Sage called a "fortified camp" near Mora, New Mexico, on May 13. In the vicinity of present-day Rainsville, New Mexico, on Coyote Creek, Warfield's men killed three New Mexicans, wounded three others, and drove off all seventy of their horses. Warfield warned the New Mexicans before he released them: "it is vain to resist the arms of Texas." Interestingly, the "fortified camp" was one of *ciboleros*, buffalo hunters, in search of food for their families. Although they were not a military organization, they were not about to be intimidated by Warfield and his men. They returned to Mora for horses and supplies and then tracked Warfield and his group eastward to near Wagon Mound. There, on the night of June 14, the *ciboleros* surprised Warfield's camp and ran off all of their horses. Warfield and his party had to walk about two hundred miles to Bent's Fort for succor.<sup>26</sup>



25. Ibid., 274–76. Bent's Fort was located about seven miles east of La Junta, Colorado. It was built by Charles and William Bent about 1833–1834. It became the center of the Indian trade on the Southern Plains in addition to serving as headquarters for a number of fur traders and trappers. It was destroyed by William Bent in 1849. A reconstruction of the fort is administered as Bent's Old Fort National Historic Site by the National Park Service.

26. LeRoy R. Hafen and Ann W. Hafen, eds., *Rufus B. Sage, His Letters and Papers, 1836–1837*, vol. 5, *The Far West and the Rockies Historical Series, 1820–1875* (Glendale, Calif.: Arthur H. Clark Co., 1956), 241–42; Janet Lecompte, *Pueblo, Hardscrabble Greenhorn, Society on the High Plains, 1832–1856* (Norman: University of Oklahoma Press, 1978), 98–100; Judge

23. Carroll, "Steward A. Miller," 261–62.

24. Ibid., 273.

Around the time the Mora *ciboleros* were tracking Warfield's party, New Mexico governor Manuel Armijo and four hundred to five hundred regular soldiers, militia, and Pueblo Indians were passing Wagon Mound on their way to meet and escort the caravan from the Arkansas River to Santa Fe. Armijo had received intelligence that twenty-five hundred Texans were on the Plains awaiting the Mexican caravan. On May 10 he had received news of José Antonio Chávez's murder. Continuing on past Wagon Mound, unaware of Warfield's men, Armijo and his command marched for the Arkansas River, the international boundary. They camped at Cold Spring in the panhandle of present-day Oklahoma on June 12. The next day Armijo sent Ensign Buenaventura Lobato and one hundred men to scout to the Arkansas River and determine the location of the caravan.<sup>27</sup>

Meanwhile, Snively's men on the Arkansas were still waiting near the river for the caravan. On June 20 the Texans found fresh tracks, which were followed to Ensign Lobato's command. A sharp fight broke out and within minutes eighteen New Mexicans had been killed, eighteen wounded, and sixty-two taken prisoner. The Texans suffered no casualties. Two New Mexicans who escaped returned to Armijo's camp on June 22. Armijo sent to Santa Fe for reinforcements and recalled a group of buffalo hunters that he had sent out several days earlier. Two days later another survivor from Snively's attack arrived in camp and reported that he and one other had escaped. He estimated the Texan force at twelve hundred. With only one hundred regular soldiers, Armijo's confidence in his citizen-militia was not high, especially when he had only four hundred to five hundred men to face twelve hundred to twenty-five hundred Texans, as had been reported. And although two hundred reinforcements would join him from Santa Fe, the num-

bers still were not good. In addition, ammunition was low and firearms were few, the majority of men armed with bows and arrows and lances—hardly an army to attack superior numbers equipped with firearms. On June 25 Armijo retreated to Santa Fe.<sup>28</sup>

If the caravan was to receive any protection now, it would have to come from the Americans. And indeed, in April orders were issued from the Third Military Department that three companies of dragoons be "prepared and held in readiness to march to the boundary line between the United States and New Mexico on the route to Santa Fe, as an escort, for the protection of any and all persons, who may be desirous of availing themselves of it, and who shall be engaged in lawful trade and intercourse between the two countries." Captain Philip St. George Cooke would command the escort, with another company added later.<sup>29</sup>

The assembly point for the caravan and soldiers was set for Council Grove on June 3. On April 12 the "journal of Major [Bennett] Riley's command, which, in 1829, made the same excursion now contemplated," was sent to Fort Leavenworth. Captain Cooke was directed to "extract such portions as you may deem useful or interesting" and then to return the original. Since Cooke had written the 1829 journal, he likely was familiar with the route, used portions of the journal, and probably still had his own copy.<sup>30</sup>

On June 6 First Dragoon Companies K, C, and F from Fort Leavenworth and Company A from Fort Scott left Council Grove and marched down the Santa Fe Trail behind the traders who had departed earlier that morning. The caravan included fifty-six wagons,

28. Ibid; Carroll, "Steward A. Miller," 278–80, Oates, "Hugh E. Young's Account," 80–82.

29. Third Military Department Orders No. 11, April 10, 1843, Orders & Special Orders of the First and Third Military Departments, RG 393; James Prentiss to R.B. Mason, April 21, 1843, Letters Received, Adjutant General's Office; James H. Prentiss to R.B. Mason, May 11, 1843, Letters Sent, Third Military Department. Philip St. George Cooke was graduated from the U.S. Military Academy and assigned to the Sixth Infantry in 1827. He joined the First Dragoons in 1833 as a first lieutenant and was promoted to captain in 1835. He retired in October 1873 as a brigadier general. See Heitman, *Historical Register*, 324.

30. James H. Prentiss to R.B. Mason, April 12, 1843, Letters Sent, Third Military Department; Otis E. Young, *The First Military Escort on the Santa Fe Trail 1829* (Glendale, Calif.: Arthur H. Clark Co., 1952), 58–59.

of Mora to Manuel Armijo, May 14, 1843, William G. Ritch Collection, Henry E. Huntington Library, San Marino, Calif.

27. Journal of the Field Orders of the Expedition to the Napeste, 1843, microfilm roll 34, Mexican Archives of New Mexico, New Mexico State Records Center and Archives, Santa Fe. Manuel Armijo served as governor of New Mexico from 1827 to 1829, 1837 to 1844, and 1845 to 1846.

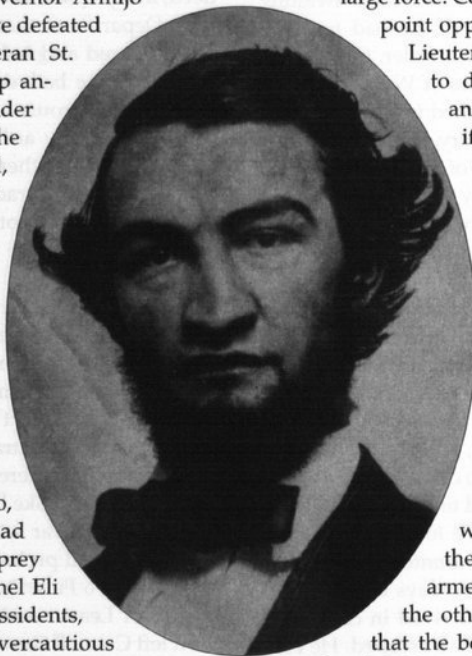


twenty-four of which were owned by ten Americans and thirty-two of which were owned by five Mexicans. From June 6 to 30 nothing out of the ordinary occurred as the caravan and the soldiers marched down the trail. Cool and rainy weather and high running creeks posed minor problems, delaying the caravan a bit. Charles Bent encountered the caravan on June 14 bringing news of Governor Armijo and that "land pirates may have defeated Armijo." Two days later Ceran St. Vrain arrived at Cooke's camp announcing that 180 Texans under Colonel Snively were at the crossing. They were armed, well mounted, and had been

Ceran St. Vrain

north of the Arkansas River, which placed them in United States territory. A watch for the Texans commenced, and guards were on extra alert.<sup>31</sup>

After the battle with Armijo, the Texan "Invincibles" had again grown bored and fallen prey to arguing and disunity. Colonel Eli Chandler, a leader of the dissidents, thought Snively a timid, overcautious man. Once the Mexican prisoners were released to return home, Chandler resigned and led about seventy-six of the men, as he said was his intention, to Texas. Snively's command now totaled only about one hundred men.<sup>32</sup>



Colonel Snively and Captain Cooke finally met on June 30. Marching west on the trail in advance of the caravan, Cooke sighted three horsemen about a mile ahead. Suspecting them to be Texans, Cooke sent a small party of soldiers in pursuit. The sergeant in charge of the command returned and reported that the men had crossed the Arkansas River and joined a large force. Cooke moved down the river to a point opposite the Texan camp and sent Lieutenant John Love across the river to demand who the troops were and to provide their commander, if they had one, safe conduct to Cooke's camp. Colonel Snively and his aide, a Mr. Spencer, accompanied Lieutenant Love to Cooke's camp. With little ceremony, Captain Cooke demanded to know Snively's purpose, prefacing that he thought the Texans were in U.S. territory. Snively replied that he was in charge of 107 men and produced his commission.<sup>33</sup>

Cooke withdrew to consult with his officers as to whether the Texan force should be disarmed. Two officers were in favor, the other three opposed. Cooke knew that the boundary had not been marked by the U.S. and Mexican governments, but that common knowledge placed it some miles up the Arkansas River. Thus, even though they were on the south side of the Arkansas, the Texans were in the

31. William E. Connelley, ed., "A Journal of the Santa Fe Trail," *Mississippi Valley Historical Review* 12 (June 1925): 72-98 and (September 1925): 227-55. Data on the traders is on page 240-41. The original journal is found in microfilm M567, roll 267, National Archives. Charles and William Bent and Ceran St. Vrain were partners in Bent & St. Vrain, owners of Bent's Fort and a vast trading empire. Living and doing business on the frontier, in New Mexico, and in the United States made them savvy businessmen. Here they were on their way to Missouri.

32. Oates, *Visions of Glory*, 12.

33. Connelley, "Journal of the Santa Fe Trail," 227-30; Philip St. George Cooke to James H. Prentiss, July 4, 1843. Snively's aide, Mr. Spencer, was the son of John C. Spencer, United States secretary of war from 1841 to 1843. See William R. Bernard, "Westport and the Santa Fe Trade," *Kansas Historical Collections* 1905-1906 9 (1906): 554. John Love was graduated from the U.S. Military Academy, appointed a brevet second lieutenant in the First Dragoons in July 1841, and promoted to second lieutenant in February 1842. He served in the Mexican and Civil Wars and died in 1881. See Heitman, *Historical Register*, 643.

United States. Additionally, Texan spies had been caught on the north of the river, and others had passed more than 110 miles through U.S. territory. Cooke "believed most of [the] ruffian crew before me to be outcast citizens of the United States," and the president of Texas would pronounce them "banditti!" "Above all," he concluded, "the safety and welfare of my own fellow-citizens depended on my decision: I could no longer hesitate." Returning to Snively, Cooke informed him once again that he was in the United States and ordered Snively to return across the river and command his men to lay down their arms and surrender. Ensuring no misunderstanding, Cooke told the Texan commander: "I have 185 soldiers besides officers and two howitzers which will throw shells into the grove you are encamped in."<sup>34</sup>

Snively argued and Cooke agreed to accompany him to his men. "The advance was sounded," and Snively and the dragoons crossed the river. Cooke deployed his men two hundred paces away on each side and in front of the Texan camp, with the howitzers in the center. Slow matches were lit for the howitzers and the soldiers prepared for action. Snively sent his aide Spencer to the Texan camp with news of the surrender. After waiting a half hour, Cooke demanded that Snively, "who preferred to remain with me," tell his men to lay down their arms. Reluctantly and with apprehension, Snively complied, as did his troops. Captain Burdette Terrett and his Company A were sent to receive the arms. But the Texans only surrendered those captured from Armijo's men; the better weapons they had hidden. They also claimed surrender as prisoners, and some demanded an escort to the United States. Cooke informed them that they were not prisoners and he would provide an escort only if properly requested. After making a copy of Snively's commission and returning ten rifles to the Texans, the soldiers crossed to the north side of the Arkansas. About four o'clock in the afternoon, the caravan arrived and camped with Cooke's command.<sup>35</sup>

The next morning the traders still expressed apprehension about possible attack. Cooke offered the Texans an escort to Missouri; some took advantage of the offer, but others decided to return to Texas. Charles Warfield was among the Texans and offered to surrender personally to Cooke, but the offer was declined. Cooke considered taking Warfield prisoner and sending him back to the states but was reluctant to do so because of the colonel's commission, which carried the signature of the Republic of Texas President Sam Houston.<sup>36</sup>

Cooke and the caravan proceeded on the trail, and on July 4 they crossed the Arkansas River and headed for Santa Fe. Cooke and his command left the wagons to return to Fort Leavenworth. Snively and his Texans, however, still followed the caravan hoping to attack. Dissension in the ranks again brought Warfield to command. Near Cold Spring Warfield discovered the tracks of Armijo's command. Reading those tracks as following the caravan instead of preceding it by a couple of weeks, Warfield precipitously declared that since troops were escorting the train he was returning to Texas. Dissatisfaction once again restored Snively to command for the march home. On the return trip the banditti would be attacked by Indians and run out of provisions. The Texan "Battalion of Invincibles" that marched into Birds Fort near Dallas was a defeated and discouraged lot.<sup>37</sup>

The spring caravan of 1843 arrived in Santa Fe on July 28. Apprehension on the Missouri frontier was still high after Cooke returned to Fort Leavenworth, and a second escort was ordered to leave in August. Encountering no Texans and having no serious problems, the escort, again commanded by Captain Philip St. George Cooke, marched to the Arkansas crossing and back to Fort Leavenworth. The Texans protested Cooke's action to the secretary of state, and a court of

34. Connelley, "Journal of the Santa Fe Trail," 227-30.

35. Ibid, 230-33.

36. Philip St. George Cooke to James H. Prentiss, July 4, 1843.

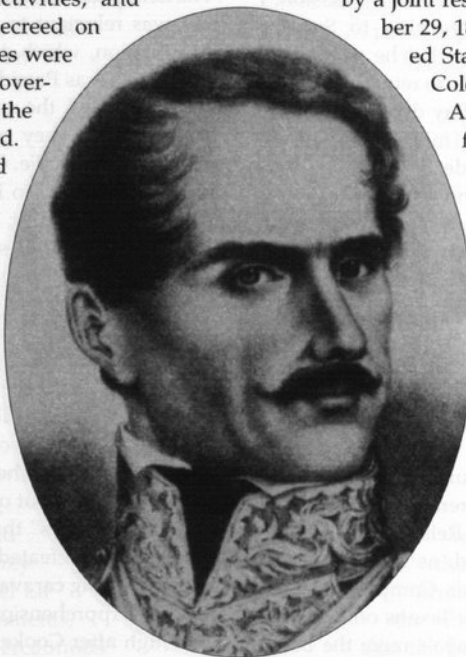
37. Connelley, "Journal of the Santa Fe Trail," 234-41; Carroll, "Steward A. Miller," 284-86; Oates, "Hugh F. Young's Account," 85-87.

inquiry was called in 1844. Cooke was cleared of any wrongdoing.<sup>38</sup>

After hearing of the Chávez murder, Sam Houston signed a Proclamation of Armistice between Texas and New Mexico on July 15, 1843. Apparently Snively was unaware of this proclamation.<sup>39</sup> President of Mexico Santa Anna, upon hearing of the Chávez murder, Snively's activities, and United States involvement, decreed on August 7 that the customhouses were closed to Americans and the overland commerce by way of the Santa Fe Trail was suspended. But when Santa Anna learned of Cooke disarming the Texans

Antonio López de Santa Anna

he reputedly declared that "it was the first time the United States had shown a



friendly spirit toward Mexico." The closure of the customhouses hurt not only traders from the United States but Mexican traders as well. Santa Anna must have received great pressure to re-open them; possibly Cooke's actions gave him an excuse. On March 31, 1844, the earlier decree was abolished.<sup>40</sup>

Texas officially was annexed to the United States by a joint resolution of Congress on December 29, 1845. On May 13, 1846, the United States declared war with Mexico.

Colonel Stephen Kearny headed the Army of the West, which successfully captured New Mexico for the United States. Philip St. George Cooke was one of Kearny's captains in the invasion force. The Treaty of Guadalupe-Hidalgo in 1848 added New Mexico to the U.S., thus the adversaries of 1843 were now of the same union, joined together as part of the United States.

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38. Connelley, "Journal of the Santa Fe Trail," 249-55; *Texas Documents Referring to the Red River Case and the Disarming of Snively's Command*, 28th Cong., 2d sess., S. Doc. 1, serial 449, 96-112; General Order 19, April 24, 1844, RG 94, National Archives.

39. S. Houston, "Proclamation of Armistice between Texas and New Mexico, June 15, 1843," Ritch Collection.

40. Simmons, *Murder on the Santa Fe Trail*, 69-71.